

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ONLINE DVD RENTAL ANTITRUST LITIGATION ) Case No. M 09-2029 PJH  
 ) Judge: Hon. Phyllis J. Hamilton  
 )  
 ) **STIPULATION AND [PROPOSED] ORDER**  
 ) **MODIFYING PRETRIAL ORDER NO. 4**

This document relates to: )  
All Actions )  
 )  
 )

It is hereby stipulated between and among the parties hereto, by and through their respective counsel of record, that Plaintiffs' Motion for Class Certification, previously due to be filed on February 19, 2010, shall be filed instead on or before March 19, 2010, that Oppositions, previously due to be filed on April 20, 2010, shall be filed instead on or before May 18, 2010 and Replies, previously due on June 4, 2010, shall be filed instead on or before July 2, 2010. The hearing shall occur on September 1, 2010 or such other date as the Court may set. Good cause exists for this modification to Pretrial Order No. 4 in that the additional time is needed to permit review of data and documents in order to prepare this motion. No previous changes have been requested or ordered with respect to this Motion. All other dates in Pretrial Order No. 4 shall remain unchanged.

STIPULATION AND [PROPOSED] ORDER  
MODIFYING PRETRIAL ORDER NO. 4  
Case No. C 09-0002 PJH

1 Dated: January 19, 2010

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Dated: January 19, 2010

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STIPULATION AND [PROPOSED] ORDER  
MODIFYING PRETRIAL ORDER NO. 4  
Case No. C 09-0002 PJH

1 Dated: January 19, 2010

2 SUSMAN GODFREY L.L.P.

3 By: /s/ Richard W. Hess  
4 Richard W. Hess

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11  
12 Attorneys for Defendants Wal-Mart Stores, Inc.  
13 and Walmart.com USA LLC

14 **FILER'S ATTESTATION UNDER GENERAL ORDER NO. 45, § X.B**

15 As the registered ECF User and the filer of this Stipulation, I hereby attest that concurrence in  
16 the filing of this document has been obtained from the other signatory to this document. I declare under  
17 penalty of perjury, 28 U.S.C. § 1746, that the foregoing statement is true and correct.

18 Executed in East Palo Alto, California.

19 Dated: January 19, 2010

20 HOWREY LLP

21 By: /s/ Paul Alexander  
22 Paul Alexander

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28 STIPULATION AND [PROPOSED] ORDER  
MODIFYING PRETRIAL ORDER NO. 4  
Case No. C 09-0002 PJH

## ORDER

The Stipulation of the parties for an Order modifying Pretrial Order No. 4 with respect to the Motion for Class Certification having been considered by the Court and good cause appearing,

4 IT IS HEREBY ORDERED that Plaintiffs' Motion for Class Certification in this action shall be  
5 filed on or before March 19, 2010, that Oppositions shall be filed on or before May 18, 2010 and  
6 Replies shall be filed on or before July 2, 2010. The hearing on the Motion for Class Certification  
7 shall occur on September 1, 2010.

Dated: January 26, 2010

